



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUN 13 2017

The Honorable Richard Burr
United States Senate
Washington D.C. 20510

Dear Senator Burr:

Thank you for your May 15, 2017, fax to the United States Environmental Protection Agency on behalf of your constituent, (b) (6) in her April 18, 2017, letter (b) (6) wanted to provided us with some additional information that will show how her neighbor's cows unlimited access to a small branch (creek) impacts her campground and potentially the (b) (6)

Under the Clean Water Act (CWA), the EPA may regulate an animal feeding operation only when it meets the regulatory definition of a concentrated animal feeding operation (CAFO). Generally, CAFOs are regulated based upon the type and the number of animals that are in confinement. In this case a small family farm with eighteen cows, does not reach the federally defined threshold of a CAFO and is therefore not subject to permitting requirements under the EPA's jurisdiction.

We do recognize (b) (6) concern with the cows unlimited access to the stream. When livestock have access to streams, feces may be deposited into the streams which may result in levels of bacteria that pose a public health risk. To address this risk, the EPA administers a voluntary nonpoint source program which provides federal funding to address these sources of pollution. Our staff has contacted Ms. Christine B. Lawson, Program Manager in the Animal Feeding Operations Program at the North Carolina Department of Environmental Quality (DEQ), and was informed that the DEQ's Winston-Salem Regional Office is scheduled to reinvestigate (b) (6) concern. If at that time violations of state regulations are found, then DEQ will take appropriate action to address (b) (6) concern.

If you have questions or need additional information from the EPA, please contact me or Allison Wise in the Region 4 Office of Government Relations, at (404) 562-8327.

Sincerely,

V. Anne Heard
Acting Regional Administrator

cc: Ms. Christine B. Lawson
DEQ